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REMARKS/ARGUMENTS

Claims 1-10 are pending in this application. The Examiner has withdrawn claim 9 from consideration. By this Amendment, Applicant AMENDS claims 1, 6, 7, and 10.

Claims 1-7 and 10 were rejected under 35 USC § 103(a) as being unpatentable over Applicant's Admitted Prior Art (AAPA) Fig. 14 in view of Kubota et al. (U.S. Patent No. 5,644,107). Claims 8 was rejected under 35 USC § 103(a) as being unpatentable over Applicant's Admitted Prior Art (AAPA) Fig. 14 in view of Kubota et al. (U.S. Patent No. 5,644,107) and further in view of Marusawa et al. (JP 9-294006). Applicant respectfully traverses the rejections of claims 1-8 and 10.

Claim 1 has been amended to recite:

"A center-electrode assembly comprising:
a ferrite;
center-electrode patterns and insulating films deposited on the top surface of the ferrite;
a conductive pattern formed on the bottom surface of the ferrite;
and
connecting electrodes directly formed on sides of the ferrite;
wherein
the connecting electrodes electrically connect the center-electrode patterns and the conductive pattern; and
said connecting electrodes are comprised of at least one of a plated conductive material, a printed conductive material, a sputtered conductive material, a vapor deposited conductive material and an applied paste conductive material formed directly on the sides of the ferrite." (Emphasis added)

Applicant's claim 1 recites the feature of "said connecting electrodes are comprised of at least one of a plated conductive material, a printed conductive material, a sputtered conductive material, a vapor deposited conductive material and an applied paste conductive material formed directly on the sides of the ferrite." Applicant's claims 5 and 10 recite features which are similar to the features recited in Applicant's claim 1, including the above emphasized features. With the improved features of claims 1, 5, and 10, Applicant has been able to provide a center-electrode assembly which has

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stable electrical characteristics, is easily handled, and is suitable for mass production and a manufacturing method therefore (see, for example, the paragraph bridging pages 2 and 3 of the originally filed Specification).

Applicant agrees with the Examiner that AAPA does not teach or suggest the feature of the connected electrodes being formed of a plated conductive material, a printed conductive material, a sputtered conductive material, a vapor deposited conductive material, or an applied paste conductive material formed directly on the sides of the ferrite as recited in Applicant's claim 1. The Examiner has relied upon Kubota et al. to allegedly cure this deficiency.

First, the Examiner is reminded that "[i]n order to rely on a reference as a basis for rejection of an applicant's invention, the reference must either be in the field of applicant's endeavor or, if not, then be reasonably pertinent to the particular problem with which the inventor was concerned." See In re Oetiker, 24 USPQ2d 1443, 1445 (Fed. Cir. 1992) and MPEP § 2141.01(a). Lines 14-20 of column 1 of Kubota et al. clearly indicate that the invention of Kubota et al. is directed "to an improvement in a mode of forming external electrodes in multilayer electronic component," such as a multilayer capacitor, a multilayer inductor or a multilayer circuit board. The first paragraph on page 1 of the originally filed Specification clearly indicates that the present invention is directed to a center-electrode assembly and a manufacturing method. In other words, the present claimed invention is directed to a nonreciprocal circuit device and a communication apparatus using the center-electrode assembly. Thus, Kubota et al. clearly is not in the same field of endeavor as Applicant's invention and is not reasonably pertinent to the problems that Applicant was concerned with. In fact, Kubota et al. fails to teach or suggest that the structure of Kubota et al. could or should be used in a nonreciprocal circuit device.

Second, assuming *arguendo* that Kubota et al. is analogous art, the Examiner has failed to provide proper motivation to combine AAPA and Kubota et al. The Examiner has alleged that "it would have been obvious to one of ordinary skill in the art

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at the time of the invention to have manufactured the device of AAPA figure 14 by forming a **motherboard laminate** and then cutting it into individual units having through vias filled with metal paste (or alternately conductor films) such as taught by Kubota et al. instead of forming individual units because such a method of manufacturing would have been considered a **mere substitution of art-recognized equivalent** manufacturing methods that would have **advantageously facilitated mass production** of the devices having connecting electrodes on their sides[,] thereby **reducing manufacturing costs**, as would have been well known" (emphasis added).

The Examiner is reminded that in order to rely on equivalence as a rationale supporting an obviousness rejection, the equivalency must be recognized in the prior art, and cannot be based on applicant's disclosure or the mere fact that the components at issue are functional or mechanical equivalents. See MPEP § 2144.06 and *In re Ruff*, 256 F.2d 590, 118 USPQ 340 (CCPA 1958). The Examiner has failed to establish that the prior art has recognized that the different manufacturing methods are equivalents, as alleged by the Examiner. Applicant respectfully requests that the Examiner specifically point out the portion of Kubota et al. that has been relied upon to establish the equivalency of the two manufacturing methods.

Applicant has assumed that "motherboard laminate" means that the Examiner is alleging that one of ordinary skill in the art would divine from the teachings of Kubota et al. that the center-electrodes **271**, **272**, and **273** and common shield **276** of the concentrated-constant-type isolator **200** of **Fig. 14** of AAPA should be laminated onto the ferrite **270** instead of being punched out of a metallic plate and wrapped around the ferrite as taught by Applicant in the first full paragraph on page 2. However, there is absolutely no suggestion or hint in Kubota et al. that the center-electrode assembly of a concentrated-constant-type isolator as shown in AAPA's **Fig. 14** should be laminated.

Further, the Examiner has failed to explain how applying the method of Kubota et al. to the device illustrated in **Fig. 14** of AAPA would advantageously facilitate mass production and reduce costs. The Examiner has ignored the fact that Applicant clearly

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teaches in the first full paragraph on page 2 of the originally filed specification that the center-electrodes **271**, **272**, and **273** and common shield **276** "are made by punching a thin metallic plate." Applicant does not understand how the complicated step of laminating multiple layers of electrodes will result in a method which would advantageously facilitate mass production and reduce costs as compared to a method which uses the simple step of punching and wrapping electrodes. The Examiner is hereby requested to cite a prior art reference in support of his position that it was well known at the time of Applicant's invention that the complicated step of laminating multiple electrode layers would result in a method which would advantageously facilitate mass production and reduce costs as compared to a method which uses the simple step of punching and wrapping electrodes. If the rejection is based on facts within the personal knowledge of the Examiner, the data should be supported as specifically as possible and the rejection must be supported by an affidavit from the Examiner, which would be subject to contradiction or explanation by affidavit of Applicants or other persons. See 37 C.F.R. § 1.104(d)(2).

Accordingly, Applicant respectfully requests reconsideration and withdrawal of the rejection of claims 1, 5, and 10 under 35 USC § 103(a) as being unpatentable over AAPA in view of Kubota et al.

Accordingly, Applicant respectfully submits that none of the prior art of record, applied alone or in combination, teach or suggest the unique combination and arrangement of elements recited in claims 1, 5, and 10 of the present application. Claims 2-4 and 6-8 depend upon claim 1 and are therefore allowable for at least the reasons that claim 1 is allowable.

In addition, Applicant respectfully submits that claim 1 is generic, and thus, that claim 9, which is dependent upon generic claim 1, must be rejoined and allowed along with generic claim 1.

In view of the foregoing amendments and remarks, Applicant respectfully submits that this application is in condition for allowance. Favorable consideration and prompt

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allowance are solicited.

The Commissioner is authorized to charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 50-1353.

Respectfully submitted, .

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